

The 22nd December, 1967

No. 12093-3Lab-67/37176.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the President of India is pleased to publish the following award of the Presiding Officer, Labour Court Rohtak, in respect of the dispute between the workmen and management of M's Steel and General Mills Co., Ltd., Sonapat :—

BEFORE SHRI P. N. THUKRAL, PRESIDING OFFICER, LABOUR COURT, ROHTAK

COMPLAINTS NO. 8 TO 12 OF 1967

Under section 33-A of the Industrial Disputes Act, 1947

Sarvshri Tek Chand, Shiv Dayal, Lorinda Ram, Hari Chand and Chander Singh, C/o General Workers Union Regd., Mandi Sonapat —Complainants

Versus

The management of M's Steel and General Mills Co., Ltd., Sonapat

—Respondent

Present :

Shri Chhajju Mal Vaid, for the complainants.

Shri Mohan Lal Sharma, for the respondent.

AWARD

This order will dispose of five connected applications No. 8 to 12 of 1967 under section 33-A of the Industrial Disputes Act, 1947. The representative of the workmen has stated that he may be allowed to withdraw these applications because full details of the claim have not been given in these applications. He has further stated that he has already filed fresh applications under section 33-A of the Industrial Disputes Act, 1947 covering the subject matter in dispute in which full details have been given. In view of the statement made by the representative of the workmen the applications are hereby dismissed as withdrawn. The workmen would be entitled to re-agitate the dispute which is subject of these applications during the hearing of the fresh applications. No order as to costs.

P. N. THUKRAL,

Camp : Sonapat,
Dated : 18th November, 1967.

Presiding Officer,
Labour Court, Rohtak.

No. 1681, dated 9th December, 1967.

This award is submitted to the Secretary to Government, Haryana, Labour and Employment Department, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

P. N. THUKRAL,

Presiding Officer,
Labour Court, Rohtak.

No. 12091-3Lab-67/37308.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the President of India is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workmen and management of M/s Wearwell Cycle Co. (India) Ltd., Faridabad :—

BEFORE SHRI P. N. THUKRAL, PRESIDING OFFICER, LABOUR COURT, ROHTAK

Reference No. 62 of 1967

between

THE WORKMEN AND THE MANAGEMENT OF M/s WEARWELL CYCLE Co. (INDIA) Ltd., FARIDABAD.

Present :

Shri A. R. Handa, for the workman.

Shri S. L. Gupta, for the management.

AWARD

Shri Hub Lal was in the employment of M/s Wearwell Cycle Co. (India) Ltd., Faridabad as a helper. His services were terminated. This gave rise to an industrial dispute and the Government of Haryana in exercise of the powers conferred by clause (c)

of sub-section (1) of section 10 read with proviso to that sub-section of the Industrial Disputes Act, 1947 referred the following dispute to this Court for adjudication,—*vide* Gazette notification No. 293-SF/III-Lab-67, dated the 27th July, 1967 :—

Whether the termination of services of Shri Hub Lal was justified and in order ?
If not, to what relief is he entitled ?

On receipt of the reference usual notices were issued to the parties and a statement of claim was filed on behalf of the workman and the management filed a rejoinder to the same. It was stated on behalf of the management that Shri Hub Lal was employed on probation and his services were terminated during the period of his probation on 26th December, 1966 in accordance with the terms of the letter of appointment. Since the workman was not present his representative was directed to file a replication but on the date fixed the representative of the workman stated that the workman had not given him any instructions to proceed further in the case and it appeared to him that the workman was not interested in pursuing the case any further. Since the workman had produced no evidence in support of his allegations that his services have been terminated wrongfully it is held that the termination of his services cannot be said to be unjustified. No order as to costs.

Camp: Ballabgarh

Dated: 21st November, 1967.

P.N. THUKRAL,
Presiding Officer,
Labour Court, Rohtak.

No. 1679, dated the 9th December, 1967.

This award is submitted to the Secretary to Government, Haryana, Labour and Employment Department, Chandigarh, as required under Section 15 of the Industrial Disputes Act, 1947.

P.N. THUKRAL,
Presiding Officer,
Labour Court, Rohtak.

No. 12088-3Lab-67/37310.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the President of India is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workmen and the management of M/s London Industries, Link Road, Faridabad ;—

BEFORE SHRI P.N. THUKRAL, PRESIDING OFFICER, LABOUR COURT,
ROHTAK

Reference No. 71 of 1967

between

THE WORKMEN AND THE MANAGEMENT OF M/S LONDON INDUSTRIES,
LINK ROAD, FARIDABAD

Present ;

Shri Roshan Lal Sharma, for the workman.

Shri Davinder Singh Partner of the respondent concern.

AWARD

Shri Tota Ram was in the employment of M/s London Industries, Link Road, Faridabad. His services were terminated. This gave rise to an industrial dispute and the Government of Haryana in exercise of the powers conferred by clause (c) of sub-section

(1) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute to this Court for adjudication,—*vide* Gazette notification No. 344-SF-III-Lab-67, dated 14th August, 1967:—

Whether the termination of services of Shri Tota Ram, was justified and in order? If not, to what relief is he entitled?

On receipt of the reference usual notices were issued to the parties to file his statement of claim and rejoinder to the same. An amicable settlement has been arrived at between the parties. The workman has received all his dues in full and final settlement of his claim,—*vide* receipt Ex. M/1 and did not desire reinstatement in the respondent concern. I, therefore, made my award accordingly. No order as to costs.

Camp : Ballabgarh

P. N. THUKRAL,

Dated : 21st November, 1967.

Presiding Officer,
Labour Court, Rohtak.

No. 1677, dated 9th December, 1967

This award is submitted to the Secretary to Government, Haryana, Labour and Employment Department, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

P. N. THUKRAL,

Presiding Officer,
Labour Court, Rohtak.

No. 12090-3Lab-67/37312.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the President of India is pleased to publish the following award of the Presiding Officer Labour Court, Rohtak, in respect of the dispute between the workmen and management of M/s Great Eastern Anodiser, Railway Road, Faridabad :—

BEFORE SHRI P. N. THUKRAL, PRESIDING OFFICER, LABOUR COURT,
ROHTAK

Reference No. 72 of 1967

between

THE WORKMEN AND THE MANAGEMENT OF M/S GREAT EASTERN
ANODISER, RAILWAY ROAD, FARIDABAD.

Present:

Shri Roshan Lal Sharma, for the workmen.

Shri I. D. Gupta, for the management.

AWARD

M/s Great Eastern Anodiser, Railway Road, Faridabad terminated the services of Sarvshri Kahanya Lal and Ram Bharossa. This gave rise to an industrial dispute and the Government of Haryana in exercise of the powers conferred by clause (c) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 referred the following dispute to this Court for adjudication,—*vide* gazette notification No. 361-SFII-Lab-67, dated 21st August, 1967:—

Whether the termination of services of Sarvshri Kahanya Lal and Ram Bharossa was justified and in order? If not, to what relief are they entitled?

On receipt of the reference usual notices were issued to the parties who filed their statement of claim and rejoinder to the same. Necessary issues were framed but on the date fixed for evidence an amicable settlement was arrived at between the parties.

The management agreed to give all retrenchment benefits due to Shri Ram Bharossa claimant, that is, one month's pay in lieu of notice, compensation equal to 15 days' average pay for every completed year of continuous service or any part thereof in excess of six months. Shri Ram Bharossa relinquished his claim for rein statement or re-employment and did not claim any other dues. The claim of Shri Kahanya Lal was not pressed. I, therefore, give my award accordingly. No order as to costs.

Camp : Ballabgarh

P. N. THUKRAL,

Dated : 21st November, 1967

Presiding Officer,
Labour Court, Rohtak.

No. 1676, dated 9th December, 1967

This award is submitted to the Secretary to Government, Haryana, Labour and Employment Department, Chandigarh as required under Section 15 of the Industrial Disputes Act, 1967.

P. N. THUKRAL,

Presiding Officer,
Labour Court, Rohtak.

No. 12403-3Lab-67/37314.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the President of India is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workmen and management of M/s Usha Forgings and Stampings (P) Ltd., Mathura Road, Faridabad:—

BEFORE SHRI P.N. THUKRAL, PRESIDING OFFICER, LABOUR COURT,
ROHTAK

Reference No. 78 of 1967

between

THE WORKMEN AND THE MANAGEMENT OF M/S USHA FORGINGS AND
STAMPINGS (P) LTD., MATHURA ROAD, FARIDABAD

Present :

Shri A.R. Handa, for the workman.

Shri P.N. Gulati, for the management.

AWARD

Shri Ravi Dutt was in the employment of M/s Usha Forgings and Stampings (P) Ltd., Mathura Road, Faridabad as a power press operator. His services were terminated. This gave rise to an industrial dispute and the Government of Haryana in exercise of the powers conferred by clause(c) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute to this Court for adjudication,—*vide* Gazette notification No. 285-FSIII-Lab-67/23376, dated 30th August, 1967:—

Whether the dismissal of Shri Ravi Dutt Power Press Operator, was justified and in order? If not, to what relief is he entitled?

On receipt of this reference usual notices were issued to the parties to file this statement of claim and rejoinder to the same. On the date fixed for the hearing of the case, the representative of the management made a statement that the workman had received all his dues in full and final settlement of his claim. Shri A.R. Handa, Secretary of the General Engineering Mazdoor Union who was representing the workman stated that he could not contact the workman and wanted time to obtain instructions. The case was, therefore, adjourned to enable the representative of the workman to obtain instructions. On the adjourned date Shri A.R. Handa, again stated that he had received no instructions from the workman and it appeared to him that the workman was no

longer interested in pursuing his case any further. As the workman has not produced any evidence in support of his allegations made in the notice of demand that his services have been terminated wrongfully I hold that the termination of his service cannot be said to be unjustified. No order as to costs

Camp: Ballabgarh.

Dated: 21st November, 1967.

P.N. THUKRAL,

Presiding Officer,
Labour Court, Rohtak.

No. 1678, dated 9th December, 1967.

This award is submitted to the Secretary to Government, Haryana, Labour and Employment Department, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

P.N. THUKRAL,

Presiding Officer,
Labour Court, Rohtak.

The 23rd December, 1967

No. 12085-3Lab-67/37174.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV, of 1947), the President of India is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Haryana, Chandigarh, in respect of the dispute between the workmen and the management of M/s Karnal Co-operative Transport Society Ltd., Karnal:—

BEFORE SHRI K. L. GOSAIN, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, HARYANA,
CHANDIGARH

REFERENCE No. 82 OF 1967

between

THE WORKMEN AND THE MANAGEMENT OF M/S (1) KARNAL CO-OPERATIVE TRANSPORT SOCIETY LTD., KARNAL, (2) NEW KARNAL CO-OPERATIVE TRANSPORT SOCIETY LTD., KARNAL, (3) KARNAL-DELHI CO-OPERATIVE TRANSPORT SOCIETY LTD., KARNAL

Present:

Shri Amarjit Singh, Shri Harbhajan Singh, and Seth Baij Nath, for the managements.

Shri Madan Lal, for the workmen.

AWARD

M/s Karnal Co-operative Transport Society Ltd., Karnal was bifurcated into three parts by mutual consent of the share-holders of the said society. In the said bifurcation some workmen were allotted to one part and some to the other and some others to the third. A dispute arose between the three parts with regard to the allocation of two of the workmen namely Gopal Singh and Kashmiri Lal. The trade union of the workmen made a demand that these two workmen should be allotted either to one part or to the second or to the third. By mutual consent the workmen and all the three parts of the company entered into an arbitration agreement for referring the dispute to me as an arbitrator. Notification No. 359-SF-III-Lab-57/, dated 26th August, 1967 was then issued by the Haryana Government referring the said dispute to me under sub-section 3 of Section 10(a) of the Industrial Disputes Act, 1947.

On receipt of the reference I issued usual notices to the parties and in response to the same the parties filed their respective statements in writing. I then gave an opportunity to them to produce evidence in respect of their versions and the parties did produce their entire evidence. After having concluded all the evidence the parties entered into an amicable settlement of the said dispute. The three parts in which the original society had bifurcated registered themselves as co-operative societies in the following names :—

- (1) Karnal Co-operative Transport Society Ltd., Karnal.
- (2) The New Karnal Co-operative Transport Society Ltd., Karnal.
- (3) Karnal-Delhi Co-operative Transport Society Ltd., Karnal.

By mutual settlement, Kashmiri Lal was taken over by the Karnal-Delhi Co-operative Transport Society Ltd., Karnal and Gopal Singh was taken over by the New Karnal Co-operative Transport Society Ltd., Karnal and both of them did so with effect from 1st December, 1967. The Karnal Co-operative Transport Society Ltd., Karnal took over liability for the dues of Shri Ram Saran Dass on his retirement on 30th November, 1967 except his earned

wags till that date. In the present case I am not concerned with the taking over the of liabilities of Ram Saran Dass by Karnal Co-operative Transport Society Ltd., Karnal and I cannot legally make any award with regard to the same. I, however, direct Karnal-Delhi Transport Co-operative Society Ltd., Karnal to take over Kashmiri Lal, with effect from 1st December, 1967 and also direct the New Karnal Co-operative Transport Society Ltd., Karnal to take over Gopal Singh from the same date, i.e., 1st December, 1967.

No order as to costs.

K. L. GOSAIN,

Dated 11th December, 1967.

Presiding Officer,
Industrial Tribunal, Haryana, Chandigarh.

No. 1424, dated Chandigarh, the 11th/12th December, 1967.

The award be submitted to the Secretary to Government, Haryana, Labour and Employment Department, Chandigarh, as required by Section 15 of the Industrial Disputes Act, 1947.

K. L. GOSAIN,

Presiding Officer,
Industrial Tribunal, Haryana, Chandigarh.

R.I.N. AHOOJA, Secy.